

EXHIBIT 10

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

GENERAL MOTORS LLC,
GENERAL MOTORS COMPANY,

Plaintiffs,

v.

ALPHONS IACOBELLI, FCA US LLC, FIAT
CHRYSLER AUTOMOBILES, N.V., JEROME
DURDEN,

Defendants.

Civil Action No. 20-011998-CB

Hon. David J. Allen

AFFIDAVIT OF PETER DELORENZO

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

I, Peter DeLorenzo, being first duly sworn, state:

1. I am over the age of 18 and make this affidavit based on my own personal knowledge, and if called and sworn as a witness, I could and would testify to the facts stated herein.

I hereby attest that the following facts are true and accurate to the best of my recollection.

2. Since 1999, I have authored a website blog that is titled the AutoExtremist, which primarily addresses issues in the auto industry.

3. In July 2018, I was contacted via email by Alphons Iacobelli ("Iacobelli") shortly after the passing of Sergio Marchionne on or around July 25 2018. We eventually exchanged at least four emails, which are attached hereto and had two in-person meetings. Iacobelli and I had no prior relationship before he contacted me.

4. At Iacobelli's request, I met him twice in July 2018 at a Starbucks in Rochester, Michigan, and each meeting lasted approximately 45 minutes to an hour. Iacobelli explained to

me that he wanted me to write a book about the FCA story of corruption and conspiracy with the UAW and the role of certain individuals in that conspiracy. He declared that the scheme and those involved was much broader than was known publicly and provided many of the supporting details as related herein.

5. Iacobelli stated that he felt I was the one to tell his story. He explained in the past FCA and Sergio Marchionne (“Marchionne”) had taken significant note of my public writings about FCA and, therefore, thought I was the correct person to write his book. Based on what he reported to me, I was interested in pursuing such a project with Iacobelli, and we even reached the point of discussing possible titles for the book.

6. In summary, he told me that he was guilty of participating in what he described as the biggest corporate corruption case in US business history. He related that FCA’s UAW “training funds” were nothing more than a slush fund for payouts to union leaders going all the way back to 1985. Iacobelli stated that he was originally hired by FCA to reduce the footprint of the program but then “Sergio & Co” added requests and demanded that money be moved around for various things until the scheme became out of control. He said that monthly payouts to the UAW were around “\$250K” but sometimes much more and Marchionne was aware of every bit of it. Iacobelli made it clear that FCA used these payments for “leverage” during the CBA contract negotiations. Iacobelli further stated that the amounts of money expended beyond the monthly amounts are simply incomprehensible.

7. Iacobelli said the NTC was a scam from the start. The reports of the money that was missing to date were incredibly low given how much was distributed to the UAW on a monthly basis.

8. Iacobelli spoke at some length about a massive, lavish, estimated \$2 million retirement party thrown in Las Vegas by FCA for a high-level UAW official who I understood to be UAW President, Dennis Williams, based on a description of the timing and purpose of the party. Iacobelli indicated that this Vegas based party had recently happened, that the event lasted several days and that FCA paid for everything associated with it.

9. Iacobelli stated that UAW executives regularly traveled to Las Vegas, often monthly, at FCA's expense. He said that top UAW executives would also use a house paid for by FCA in Palm Springs whenever the need or desire arose.

10. Iacobelli reported that Marchionne gave two expensive watches to UAW officers other than the one he reportedly gave to General Holiefield -- and that one such watch was given to Williams. Each watch gift from Marchionne purportedly contained a carefully written note to help suggest the watch had minimal value. I don't recall if Iacobelli indicated who received the other watch. I asked Iacobelli what Marchionne knew about the scheme in general, and he said Marchionne knew everything about the payments to the UAW, and that nothing happened without Marchionne's knowledge. Iacobelli made it clear that Marchionne was a micro-manager and knew all details.

11. Iacobelli agreed that Marchionne would have been criminally indicted, but for his untimely death, given his central and controlling role in the scheme to pay the UAW.

12. Iacobelli said that Marchionne orchestrated the funneling of money to the upper hierarchy of UAW, including cash, free trips, and gifts for their spouses.

13. Iacobelli told me that Marchionne's end game was to have the UAW in his pocket so that he could then make a move on GM to force a merger. Iacobelli stated unequivocally that

Marchionne's goal was to gain a competitive advantage over GM through labor costs in order to force a takeover.

14. Iacobelli said that Ron Gettelfinger did not want any part of the money directly from the NTC, but Bob King took money, trips, and items of value along with Dennis Williams. This was part of Marchionne's operational strategy from the start, according to Iacobelli. He further stated that most of the executives of the UAW were on the take as he later related names of those individuals.

15. Iacobelli said "they were all on the take and were all going down," and that Nancy Rae of FCA knew about the payments. Iacobelli also told me that anyone who worked closely with or for Iacobelli knew that he had virtually unlimited spending at his disposal as part of this scheme to bribe the UAW executives.

16. Iacobelli allowed me to review documents that he brought to both of our meetings. The documents were in two manila folders, one of which was at least three inches thick with a rubber band around it and the other was approximately two inches thick with no rubber band. There were hundreds of pages of documents in these folders. Iacobelli claimed that these documents verified his statements about the scope and scale of the scheme to payoff UAW officials and Marchionne's orchestration of that scheme. I could see that these documents included lengthy memos (several pages long and single-spaced) and contained information about payments and responsibility for payments. Iacobelli's documents appeared to be contemporaneous business records of FCA and not after the fact notes created by Iacobelli. Among the documents that I was shown were memos involving Marchionne discussing essential elements of the golf tournaments and methods for orchestrating the passing of money to the UAW. The documents contained descriptions of actual payments to UAW officials and appeared to establish that Marchionne knew

about them. There were many emails that Iacobelli showed me that reflected the scope of the payments to the UAW officials and how they were going to be distributed, and he expressed satisfaction that what he was relating to me regarding the scope and nature of the scheme and Marchionne's clear involvement was well-documented. Iacobelli claimed Marchionne asked him to leave FCA after he expressed misgivings about the growing nature of the scheme to Marchionne and his chief Lieutenant, who I believe Iacobelli said was Alfred Altavilla.

17. Iacobelli said that the sales scheme, which was the subject of FCA's government settlement, was Marchionne's idea all the way, and that he was a micro-manager and knew everything.

18. Iacobelli said that the UAW executive charities were used to funnel money, but did not provide details.

19. Iacobelli said that Marchionne felt that anything that could be saved through the labor negotiations relative to GM would allow FCA to have a competitive advantage over GM. Ford never was mentioned. Iacobelli made clear that Sergio was targeting GM because of his desire to be the "little fish that swallowed the whale," which was his stated goal when he first took over Chrysler in 2009.

20. Iacobelli confirmed the following UAW executives were in on the FCA graft: James Settles, Gary Casteel, Bob King, Dennis Williams, General Holiefield, Joe Ashton, and Norwood Jewell. Iacobelli never mentioned Cindy Estrada to me.

21. After our second meeting and follow-on email discussion about the book title and a book outline that Iacobelli stated he was working on, Iacobelli did not contact me further. I do not know why he ceased communication with me.

22. On November 23, 2019, I publicly wrote about my meeting with Iacobelli. I made clear in the column that Iacobelli had spelled out to me the broad scope and details of FCA's scheme to corrupt the UAW and extract better labor terms. For example, I wrote: "Over those two meetings, Iacobelli presented a devastating account of just how deep the payoffs to UAW officials actually were. The FCA-UAW training centers were a complete joke, with UAW members reporting to the centers to do nothing, if they bothered to show up at all. And the tales of payments for plane trips, vacations, binges in Las Vegas and myriad other gifts, cash and prizes were eye-opening, including a \$2 million retirement party for an outgoing UAW executive that was staged in Las Vegas. Iacobelli said approximately \$250,000 a month was spent keeping the UAW officials in line, in some months less, but in some months much more than that. And it was all designed to extract favorable considerations from the UAW, which translated into reduced labor costs to FCA. And Iacobelli named names... And make no mistake, Marchionne was up to his eyeballs in every bit of it, according to Iacobelli. In fact, given what he said – including Marchionne gifting expensive watches to key UAW officials with a carefully-worded note attached so they couldn't be construed to having any value - I surmised that Marchionne would have been indicted if he hadn't passed away, and Iacobelli didn't disagree with my assessment." No one from the federal government or FCA ever contacted me to discuss my meetings with Iacobelli, what documents he had in his possession or what facts he related to me.

23. Unrelated to my meetings with Iacobelli, beginning in May 2019 I have been a party to a consulting agreement with General Motors LLC pursuant to which I have provided strategic consulting services in the areas of design and marketing, with a particular focus on Cadillac and GM's electric car programs. At no time at or around the time that I entered into the consulting agreement with GM did I disclose or discuss with GM that I had met or communicated

with Mr. Iacobelli as described herein nor did I disclose to anyone at GM the information shared with me by Mr. Iacobelli. Nothing that I have recounted here in my affidavit has been influenced by the referenced 2019 consulting agreement with GM.

FURTHER AFFIANT SAYETH NOT.


Peter DeLorenzo

Subscribed and sworn to before
me this 16th day of April, 2021


Notary Public, Oakland County, MI
My Commission Expires: 9-30-2024

LANITA Y. CATO
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 30, 2024
ACTING IN COUNTY OF

From: "Peter DeLorenzo" <renzo@peterdelorenzo.com>
To: "Al Iacobelli" <al.iacobelli@wowway.com>
Sent: Sunday, July 29, 2018 4:58:30 AM
Subject: Initial Thoughts..

Hi Al,

I have a few initial thoughts.

First of all I am making initial contacts with a couple of publishers, one of which published the Number 1 best selling business book of 2017.

Secondly; I have a *preliminary* working title in mind for discussion as well:

SCREWED. The Inside story of one of the biggest corporate corruption cases in U.S. History.

I am finding out what the publisher needs in order for us to pitch the book, but I assume I will write an intro and we will provide an outline, and maybe a snippet of the first chapter.

I feel the book should open on the day you were approached by the authorities; including everything you were feeling that day.

Then the book would go back to the beginning and the story would unfold as it happened, with specific highlights, moments, scenes, emails, bad actors within FCA (Sergio et al) and so on.

Peter

pm

This email exchange was with Al about the direction of the book, and a title...

----- Forwarded Message -----

Subject:Re: Initial Thoughts..

Date:Mon, 30 Jul 2018 12:43:33 -0400 (EDT)

From:Alphons Iacobelli <al.iacobelli@wowway.com>

To:Peter DeLorenzo <renzo@peterdelorenzo.com>

My apologies for the delay in getting back to you.

I agree with your initial thoughts and at first blush, I like the title also.

In terms of flow, I am completely open but I would assume an editor will likely want a word in that. I am currently working on the outline that is more chronologically driven (for now) but will inevitably change to accommodate a reader's interest. I love the idea of opening the book with the day the Feds came to the house then going back. I like the idea of you writing the intro also. I want to arm you with the various sub plots which I think the outline will cover thoroughly. Then let your creative genius take over. I'll keep you posted on my progress.

I can't thank you enough for your assistance and at the very least being a voice of truth. I truly respect your courage to write the unmitigated truth. There aren't a lot of us left out there. I feel that outside the "Detroit Bubble" people have a much different view of our industry and you capture it.

I'll stay close as I grind through the outline. I would like to share a high level version as soon as I can so I will stay close. Thank you talk soon.Al

PMD

More:

----- Forwarded message -----

From: **Peter DeLorenzo** <renzo@peterdelorenzo.com>

Date: Mon, Jul 30, 2018 at 6:25 PM

Subject: More thoughts.

To: Alphons Iacobelli <al.iacobelli@wowway.com>

Al,

Upon further review; I like this title because it combines the impact of SCREWED while naming the players, which is important:

SCREWED. How Fiat Chrysler and the UAW conspired to commit one of the biggest cases of corporate fraud in U.S. history.

Peter

and